

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-2717

Ronald R. Johnson, doing business
as Information Exchange Systems,
successor in interest to Information
Exchange Systems, Inc.

Appellant,

v.

U.S. Bank N.A., formerly known as
First Bank N.A.; Oppenheimer,
Wolff & Donnelly, L.L.P.;
Faegre & Benson, L.L.P.

Appellees.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
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* [UNPUBLISHED]
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Submitted: April 1, 2004

Filed: April 6, 2004

Before MORRIS SHEPPARD ARNOLD, FAGG, and SMITH, Circuit Judges.

PER CURIAM.

Ronald Johnson appeals the district court's¹ adverse grant of summary judgment in his action relating to the sale and foreclosure of loans his companies had obtained. Upon de novo review, see Roeder v. Metro. Ins. & Annuity Co., 236 F.3d 433, 436 (8th Cir. 2001), we conclude that the district court properly granted summary judgment to defendants, because Mr. Johnson's claims were either time-barred or without support. We note that Mr. Johnson agreed to the stay of discovery and did not seek a continuance or file an affidavit describing specific facts further discovery would reveal. See Dulany v. Carnahan, 132 F.3d 1234, 1238 (8th Cir. 1997).

Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable John R. Tunheim, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Franklin L. Noel, United States Magistrate Judge for the District of Minnesota.